

UNITED STATES DISTRICT COURT

Southern District of New York

HARBINGER CAPITAL PARTNERS MASTER
FUND I, LTD., ET AL.

SUMMONS IN A CIVIL CASE

V.

WACHOVIA CAPITAL MARKETS, LLC, ET AL.

CASE NUMBER:

07 CIV 8139

JUDGE CHIN

TO: (Name and address of Defendant)

Wachovia Capital Markets, LLC
301 S. College Street
One Wachovia Center
Charlotte, NC 28202

~~BDO Seidman, LLP~~
Attn: Nancy Berger
1 Prudential Plaza
130 East Randolph STE 2800
Chicago, IL 60601

Gregory J. Podlucky
345 Cobblestone Lane
Ligonier, PA 15658

Robert B. Lynn
3187 Route 711 South
Ligonier, PA 15658

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Michael B. Carlinsky
Richard I. Werder
Robert S. Loigman
Susheel Kirpalani
Quinn Emanuel Urquhart Oliver & Hedges, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010

Tel.: (212) 849-7000

an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

SEP 17 2007

CLERK

DATE

(By) DEPUTY CLERK

RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE SEPTEMBER 19, 2007 at 2:55 PM
NAME OF SERVER (PRINT) JAMES CAGNEY	TITLE Private Process Server

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where c/o SCOTT M. UNIVER, GENERAL COUNSEL
BDO SEIDMAN, 330 MADISON AVENUE, NEW YORK, NY 10017

GUUDRUN RALEIGH (Paralegal) - Authorized to Accept Service

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were _____

☐ Returned _____

☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on SEPTEMBER 19, 2007
 Date

Signature of Server

JAMES CAGNEY 124-0081
419 PARK AVE SO.
NEW YORK, NY 10016

Address of Server

Jolantyna Cagney
JOLANTYNA CAGNEY
 NOTARY PUBLIC, State of New York
 No. 01CA6111489
 Qualified in New York County
 Commission Expires June 14, 2008

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.